

REMARKS

This application has been carefully reviewed in light of the Office Action dated July 12, 2005. Claims 1-11 remain pending in this application. Claims 1, 10, and 11 are the independent claims. Applicants respectfully request reconsideration and favorable action in this case.

On the merits, the Office Action rejected Claims 1-3, 5-8, and 10-11 under 35 U.S.C. §103(a) as being unpatentable over Shimizu et al. (U.S. Patent No. 4,866,702; hereinafter "Shimizu") in view of Kobayashi (U.S. Patent No. 5,200,949; hereinafter "Kobayashi '949"). The Office Action also rejected Claim 4 under 35 U.S.C. §103(a) as being unpatentable over Shimizu in view of Kobayashi '949 in further view of Kobayashi (U.S. Patent No. 4,694,453; hereinafter "Kobayashi '453"). The Office Action also rejected Claim 9 under 35 U.S.C. §103(a) as being unpatentable over Shimizu in view of Kobayashi '949 in further view of Schenkyr (U.S. Patent No. 5,218,600; hereinafter "Schenkyr"). Applicants respectfully traverse the above rejections for at least the following reasons.

Shimizu in view of Kobayashi '949 fails to recite, suggest, or teach a pilot signal generated by the at least one network node where the network node is remote from the star node and star interfaces as recited by Applicants' Claims 1, 10, and 11. The Examiner states that "Shimizu does not explicitly indicate that the pilot signal is remote from the star interface node or the star node" and therefore the Examiner relies on Kobayashi '949 for this claim element not shown in Shimizu. *See* Office Action dated 7/12/2005, pages 2-3 & 5-6. But Kobayashi '949 does not recite, suggest, or teach "a pilot signal generated by the at least one network node, the network node remote from the star node and the star interfaces" as suggested by the Examiner. The Examiner states that Kobayashi '949 discloses a LAN that includes a star configuration but the Examiner is incorrect in stating that "both the control and the stations can include a pilot signal." *See* Office Action dated 7/12/2005, page 3. Kobayashi '949 teaches that the master

supervisor node station (or star node) must generate and then transmit a pilot signal to the normal node stations (or network nodes) with the normal node stations merely receiving and detecting the pilot signal generated and supplied by the master supervisor node station where one of the normal node stations serves as the master supervisor node station. See Kobayashi '949, column 7, lines 3-20 and column 5, lines 37-54; See Also Kobayashi '949, column 2, lines 20-42 and column 2, line 63 – column 3, line 32. The pilot signal in Kobayashi '949 is always generated by the master supervisor node station (which is the star node and therefore not remote from itself) and never generated by the normal node stations.¹ Thus Applicants respectfully traverse the §103(a) rejection of Claims 1, 10 and 11 over Shimizu and Kobayashi '949, because the references fail to recite or suggest every limitation of Applicants' Claims 1, 10, and 11.

Furthermore, the Examiner states that "it would have been obvious . . . for station nodes to issue pilot signals in order to allow the control node the ability to determine if a link between the station node to the control node is working properly." See Office Action 7/12/2005, page 3. But it would in fact not be obvious in light of the fact that Kobayashi '949 teaches away from using the normal node stations to generate pilot signals by stating that the "node station 10A having controls as master supervisor must transmit the effective LAN link path indicating signal, i.e., the pilot signal, to other node stations 10A, *as its quite unique job, completely different* from the above described operations performed by a normal node station." Kobayashi '949

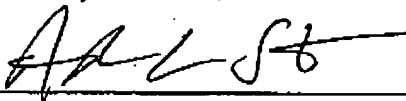
¹ See Kobayashi '949 column 2, lines 38-42 ("The inserted pilot signal is detected by a pilot signal detection device of other node stations having no controls as the master supervisor, whereby the active LAN link path is maintained to be used for communication."); column 3, lines 15-22 ("The pilot signal is inserted into the communication signal transmitted over the active LAN link path by the pilot signal insertion device of the master supervisor node station and the inserted pilot signal is detected by the pilot signal detection device of the normal node stations, whereby the active LAN link path is maintained to be used for communication."); column 5, lines 32-36 ("Since the node station 10A, when it become a master supervisor node station having control over all other node stations, operates differently from when it became a normal node station having no such control, description will be given below as to each case."); and column 7, lines 6-16 ("The node station 10A having controls as master supervisor must transmit the effective LAN link path indicating signal, i.e., the pilot signal, to other node stations 10A, as its quite unique job, completely different from the above described operations performed by a normal node station. More specifically, the same must transmit the pilot signal S11 generated from a pilot signal generator 36 as inserted in the transmitting signal S5 by turning the pilot signal/transmitting signal switch 31 to the side of pilot signal transmission at regular intervals.")

column 7, lines 6-11 (emphasis added). Kobayashi '949 clearly distinguishes and outlines the differences between the master supervisor node station and the normal node stations and that the functions of the master supervisor node station can only be performed when a node station is operating as the master supervisor node station or star node. Therefore, one having ordinary skill in the art would read Kobayashi '949 (including the passages quoted in this paragraph and the paragraph above) in light of Shimizu and be taught away from having the network nodes, which are remote from the star node, generate the pilot signal because the functions of the master supervisor network node and the normal network mode are "quite unique" and "completely different." Thus Applicants respectfully traverse the §103(a) rejection of Claims 1, 10 and 11 over Shimizu and Kobayashi '949, because the references fail to recite or suggest every limitation of Applicants' Claims 1, 10, and 11.

Claims 2-9 depend from independent Claim 1 discussed above and are believed patentable for at least the same reasons. Applicants respectfully believe Claims 2-9 to be independently patentable. Applicants further believe the §103 rejections of Claims 4 and 9 to be moot in light of the above remarks and request their withdrawal.

In view of the foregoing amendments and remarks, Applicants respectfully submit that the currently pending claims are clearly patentably distinguishable over the cited and applied references. Accordingly, entry of this amendment, reconsideration of the rejections of the claims over the references cited, and allowance of this application is earnestly solicited.

Respectfully submitted,

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